

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

NATIONAL BOARD OF MEDICAL
EXAMINERS,

Defendant,

v.

JESSICA RAMSAY,

Plaintiff.

Civil Action No. 2:19-CV-02002-JCJ

**DEFENDANT’S MOTION TO STAY PENDING APPEAL
AND REQUEST FOR EXPEDITED RULING**

The National Board of Medical Examiners (“NBME”) respectfully moves to stay the mandatory preliminary injunction that the Court entered on December 30, 2020 (ECF 28, 29), pending NBME’s appeal to the Third Circuit. As set forth more fully in the accompanying memorandum of law, the Court’s order should be stayed because (1) NBME is likely to succeed on the merits of its appeal, (2) NBME will be irreparably harmed absent a stay, (3) Plaintiff will not be substantially injured if a stay issues, and (4) the public interest favors a stay.

NBME also respectfully requests an expedited ruling on its motion to stay by **January 30, 2020** so that, if this Court denies this motion, the Court of Appeals may decide a stay request from NBME in an orderly manner.

Wherefore, NBME requests that the Court grant its motion and stay the mandatory preliminary injunction ordered in this case pending NBME's appeal to the Third Circuit.

Dated: January 23, 2020

Respectfully submitted,

/s/ Robert A. Burgoyne
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document, memorandum in support, and proposed order were electronically filed on January 23, 2020, via the Court's CM/ECF System, which will send notification of such filing to counsel of record for Plaintiff.

/s/ Robert A. Burgoyne
Robert A. Burgoyne

Counsel for Defendant NBME